

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. JASON RICHARD HANSEN,

2. JASON ELLIOTT CLARK, and

3. NOU THAO,

Defendants.

INDICTMENT

(18 U.S.C. § 2)

(18 U.S.C. § 1028)

(18 U.S.C. § 1028A)

(18 U.S.C. § 1029)

(18 U.S.C. § 1344)

(18 U.S.C. § 1349)

CR-10-255 DWF/FLN

THE UNITED STATES GRAND JURY CHARGES THAT:

I. Introduction

At all times relevant hereto:

1. Defendant JASON RICHARD HANSEN, was residing in the State of Minnesota;

2. Defendant JASON ELLIOTT CLARK, was residing in the State of Minnesota,

3. Defendant NOU THAO, was residing in the State of Minnesota;

4. Capital One Bank was a financial institution, doing business in the State of Minnesota and elsewhere, that held deposits insured by the Federal Deposit Insurance Corporation;

5. J.P. Morgan Chase Bank was a financial institution, doing business in the State of Minnesota and elsewhere, that held deposits insured by the Federal Deposit Insurance Corporation;

SCANNED

OCT 25 2010

U.S. DISTRICT COURT ST. PAUL

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6. Fifth Third Bank was a financial institution, doing business in the State of Ohio and elsewhere, that held deposits insured by the Federal Deposit Insurance Corporation;

7. National City Bank was a financial institution, doing business in the State of Ohio and elsewhere, that held deposits insured by the Federal Deposit Insurance Corporation;

8. Sovereign Bank was a financial institution, doing business in the States of Pennsylvania, Massachusetts, and elsewhere, that held deposits insured by the Federal Deposit Insurance Corporation;

9. St. Paul Postal Credit Union was a financial institution, doing business in the State of Minnesota, that held deposits insured by the National Credit Union Association;

10. TCF Bank was a financial institution, doing business in the State of Minnesota, that held deposits insured by the Federal Deposit Insurance Corporation;

11. Wells Fargo Bank was a financial institution, doing business in the State of Minnesota, that held deposits insured by the Federal Deposit Insurance Corporation.

COUNT 1  
(Bank Fraud Conspiracy)

12. The grand jury re-alleges all of the allegations contained in paragraphs 1 through 11 of the Introduction as if set forth in full herein.

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13. From in or about March 2007, to in or about August, 2008, in the State and District of Minnesota, the defendants,

JASON RICHARD HANSEN,  
JASON ELLIOTT CLARK, and  
NOU THAO,

and others known and unknown to the grand jury (collectively "the conspirators"), did knowingly combine, conspire, confederate, and agree to execute, and attempt to execute a scheme and artifice to defraud financial institutions, namely, Capitol One Bank, J.P. Morgan Chase Bank, Fifth Third Bank, National City Bank, Sovereign Bank, St. Paul Postal Credit Union, TCF Bank, and Wells Fargo Bank, and to obtain, by means of false and fraudulent pretenses and representations, monies and funds owned by and under the custody and control of those financial institutions, in violation of Title 18, United States Code, Section 1349.

PURPOSE OF THE CONSPIRACY

14. It was the purpose of the conspiracy that the defendants would enrich themselves by fraudulently obtaining money from the accounts of victims held at various financial institutions by using the personal identification information of victims, including, but not limited to, the name, date of birth, social security number, bank account number and bank routing number.

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**MANNER AND MEANS**

15. The manner and means of the conspiracy included:

a. The defendants, and others known and unknown to the grand jury, would obtain the name and personal identification information of victims who held accounts at financial institutions in the State of Minnesota and elsewhere.

b. The defendants, and others known and unknown to the grand jury, would obtain funds from the bank accounts of the victims by unlawfully manufacturing checks using the bank routing numbers and bank account numbers of the accounts that belonged to the victims at financial institutions in the State of Minnesota and elsewhere.

c. The defendants, and others known and unknown to the grand jury, would use these counterfeit checks to unlawfully obtain cash from the bank accounts of the victims at financial institutions in the State of Minnesota and elsewhere.

d. The defendants, and others known and unknown to the grand jury, would use the personal identification information of the victims, along with bank routing numbers and bank account numbers, to apply for and receive credit card accounts in the names of the victims at financial institutions in the State of Minnesota and elsewhere.

e. The defendants, and others known and unknown to the

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grand jury, would use these credit card accounts to obtain cash.

f. The defendants, and others known and unknown to the grand jury, would assist each other by providing transportation to financial institutions to obtain the cash stolen from the accounts of victims.

OVERT ACTS

16. In order to effect the objects of the conspiracy, and in furtherance of the conspiracy, the defendants, and others known and unknown to the grand jury, committed and caused to be committed the following overt acts in the District of Minnesota and elsewhere:

a. On or about August 16, 2007, defendants JASON RICHARD HANSEN, NOU THAO, and others known and unknown to the grand jury, caused Check No. 1015, in the amount of \$8,975.00, drawn on the National City Bank, Cleveland, Ohio, account no. XXXXXXXXXX1251 belonging to victim D.R.O. to be deposited into TCF Bank account no. XXXXXX1953 belonging to defendant NOU THAO.

b. On or about September 5, 2007, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused \$7800.00 to be withdrawn from TCF Bank account no. XXXXXX1953 belonging to defendant NOU THAO.

c. On or about September 15, 2007, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused a wire transfer, in the amount of \$14,000, from the

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J.P. Morgan Chase Bank account no. XXXXXXXXXXXX9938 belonging to victim W.B.H. to be made to TCF Bank account no. XXXXXX1953 belonging to defendant NOU THAO.

d. On or about September 19, 2007, defendants JASON ELLIOTT CLARK, and others known and unknown to the grand jury, caused check number 5810, in the amount of \$10,250, drawn on National City Bank account no. XXXXXXXXXXX1251, belonging to victim D.R.O, to be deposited into Wells Fargo Bank account no. XXXXXX5585, belonging to defendant JASON ELLIOTT CLARK.

e. On or about September 20, 2007, defendants JASON ELLIOTT CLARK, and others known and unknown to the grand jury, caused \$3,600 to be withdrawn from Wells Fargo Bank account no. XXXXXX5585 belonging to defendant JASON ELLIOTT CLARK.

f. On or about September 21, 2007, defendants JASON ELLIOTT CLARK, and others known and unknown to the grand jury, caused counterfeit check no. XXXX8839, in the amount of \$145,620, drawn on Sovereign Bank account no. XXXXXXXXXXX5462, to be deposited into Wells Fargo Bank account no. XXXXXX5585, belonging to defendant JASON ELLIOTT CLARK.

g. On or about September 21, 2007, defendants JASON ELLIOTT CLARK, and others known and unknown to the grand jury, caused \$4,500 to be withdrawn from Wells Fargo Bank account no. XXXXXX5585 belonging to defendant JASON ELLIOTT CLARK.

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h. On or about November 18, 2007, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused a wire transfer in the amount of \$15,485 to be made from J.P. Morgan Chase Bank account no. XXXXXXXXXXXXX5950, belonging to victim L.K.T., to TCF Bank account no. XXXXXX1953, belonging to defendant NOU THAO.

i. On or about November 27, 2007, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused TCF Bank check no. 5016, drawn on account no. XXXXXX1953, belonging to defendant NOU THAO, in the amount of \$6,000 to be written and made payable to an unindicted co-conspirator.

j. On or about November 27, 2007, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused a wire transfer in the amount of \$15,485 to be made from J.P. Morgan Chase Bank account no. XXXXXXXXXXXXX9339, belonging to victim R.M.H. to TCF Bank account no. XXXXXX1953, belonging to defendant NOU THAO.

k. On or about December 16, 2007, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused the personal identification information of victim B.S.J. to be used to fraudulently apply for and receive Fifth Third Bank Mastercard account no. XXXXXXXXXXXXX1981.

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l. On or about January 23, 2008, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused Fifth Third Bank credit card convenience check no. 5305, drawn on the fraudulently obtained account in the name of B.S.J., in the amount of \$15,675 to be deposited into TCF Bank account no. XXXXXX1953, belonging to defendant NOU THAO.

m. On or about January 25, 2008, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused Fifth Third Bank credit card convenience check no. 5306, drawn on the fraudulently obtained account in the name of B.S.J., in the amount of \$8,125 to be deposited into TCF Bank account no. XXXXXX1953, belonging to defendant NOU THAO.

n. On or about March 21, 2008, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused the fraudulent Capitol One credit card convenience check no. 11900, in the amount of \$4850, drawn on account no. XXXXXXXXXXXXXXX3226, belonging to victim T.A.B., to be deposited into TCF Bank account no. XXXXXX1953, belonging to defendant NOU THAO.

o. On or about March 24, 2008, defendants JASON RICHARD HANSEN, NOU THOU, and others known and unknown to the grand jury, caused the fraudulent Capitol One credit card convenience check no. 11900, in the amount of \$3,028.95, drawn on account no. XXXXXXXXXXXXXXX3594, belonging to victim L.W.B., to be deposited into



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TCF Bank account no. XXXXXX1953, belonging to defendant NOU THAO.

p. As a result of the execution of this scheme, between March 2007 and August 2008, defendants JASON RICHARD HANSEN, JASON ELLIOTT CLARK, NOU THAO, and others known and unknown to the grand jury, obtained over \$150,000 from the accounts of victims by using, without lawful permission, the victims' personal identification information, to include names, dates of birth, social security numbers, bank account numbers, and bank routing numbers, to unlawfully withdraw monies held in the victims' accounts at various financial institutions.

All in violation of Title 18, United States Code, Section 1349.

COUNTS 2-7  
(Bank Fraud)

17. The grand jury re-alleges all of the allegations contained in paragraphs 1 through 11 of the Introduction as if set forth fully herein.

18. From on or about March 2007, to on or about August 2008, in the State and District of Minnesota and elsewhere, the defendants,

JASON RICHARD HANSEN,  
JASON ELLIOTT CLARK, and  
NOU THAO,

aided and abetted by others known and unknown to the grand jury, did knowingly execute and attempt to execute a scheme and artifice

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to defraud financial institutions, which were then holding deposits insured by the Federal Deposit Insurance Corporation, and the National Credit Union Association, and to obtain the monies, funds, and assets owned by and under the custody and control of these financial institutions, by means of false and fraudulent pretenses, representations and promises.

19. The grand jury re-alleges all of the allegations contained in paragraphs 14 and 15 of Count 1 as describing the purpose and scheme and artifice to defraud and to obtain monies, funds, and assets owned by and under the custody and control of financial institutions by means of false and fraudulent pretenses, representations, and promises.

20. On or about the dates listed for each count below, the defendants,

**JASON RICHARD HANSEN,  
JASON ELLIOTT CLARK, and  
NOU THAO,**

aided and abetted by others known and unknown to the grand jury, did knowingly execute and attempt to execute a scheme and artifice to defraud the below-listed financial institutions, which were then holding deposits insured by the Federal Deposit Insurance Corporation, and the National Credit Union Association, and to obtain the monies, funds, and assets owned by and under the custody and control of these financial institutions, by means of false and

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fraudulent pretenses, representations and promises, including but not limited to the following:

Count	Date	Defendant	Financial Institution	Description
2	8/17/07	Nou Thao Jason Richard Hansen	National City Bank	Unlawful withdrawal of \$8975.75 from D.R.O.'s National City Bank account no. XXXXXXXXXX1251
3	9/5/07	Nou Thao Jason Richard Hansen	JP Morgan Chase	Unlawful transfer of \$14,000 from W.B.H.'s JP Morgan Chase Bank account no. XXXXXXXXXXXX9938
4	9/19/07	Jason Elliott Clark	National City Bank	Unlawful withdrawal of \$10,250 from D.R.O.'s National City Bank account no. XXXXXXXXXX1251
5	9/21/07	Jason Elliott Clark	Wells Fargo Bank	Unlawful deposit of \$145,620 counterfeit check drawn on Sovereign Bank
6	11/18/07	Nou Thao Jason Richard Hansen	JP Morgan Chase	Unlawful transfer of \$15,485 from L.K.T.'s JP Morgan Chase Bank account no. XXXXXXXXXXXX5950
7	11/27/07	Nou Thao Jason Richard Hansen	JP Morgan Chase	Unlawful transfer of \$15,485 from R.M.H.'s JP Morgan Chase Bank account no. XXXXXXXXXXXX9339

All in violation of Title 18, United States Code, Sections

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1344 and 2.

**COUNTS 8-11**  
**(Access Device Fraud)**

21. On or about the dates set forth below, in the State and District of Minnesota, the defendants,

**JASON RICHARD HANSEN and  
NOU THAO,**

aided and abetted by others known and unknown to the grand jury, did knowingly and with intent to defraud, use one or more unauthorized devices, namely credit cards, during a one-year period, and by such conduct, obtain a thing of value aggregating \$1,000 more during that period, to wit:

Count	Date	Financial Institution	Amount	Description
8	1/23/08	Fifth Third Bank	\$15,675	Used fraudulently obtained Fifth Third Bank Mastercard no. XXXXXXXXXXXX1981 in name of B.S.J. to obtain \$15,675 in cash.
9	1/25/08	Fifth Third Bank	\$8,125	Used fraudulently obtained Fifth Third Bank Mastercard no. XXXXXXXXXXXX1981 in the name of B.S.J. to obtain \$8,125 in cash.
10	3/21/08	Capital One	\$4,850	Fraudulently used Capitol One Card no. XXXXXXXXXXXX3226 in the name of T.A.B. to obtain \$4,850 in cash.

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Count	Date	Financial Institution	Amount	Description
11	3/24/08	Capital One	\$3,028.95	Fraudulently used Capitol One Card no. XXXXXXXXXXXX3594 in the name of L.W.B. to obtain \$3,028.95 in cash.

All in violation of Title 18, United States Code, Sections 1029(a)(2), 1029(c)(1)(A)(I), and 2.

**COUNT 12**  
**(Identity Theft)**

22. From on or about March 2007 to on or about August 25, 2008, in the State and District of Minnesota, the defendants,

JASON RICHARD HANSEN,  
JASON ELLIOTT CLARK, and  
NOU THAO,

aided and abetted by persons known and unknown to the grand jury, did knowingly transfer, possess, and use, in and affecting interstate commerce, without lawful authority, a means of identification of another person, to wit: name, date of birth, social security number, bank routing number, bank account number, and address of various known victims, with the intent to commit, and in connection with, unlawful activity that constitutes a violation of federal law, to wit: Bank Fraud in violation of 18 U.S.C. § 1344, and Access Device Fraud in violation of 18 U.S.C. § 1029, and as a result of these offenses, the defendants and other

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individuals committing the offense, obtained a thing of value aggregating \$1,000 or more during a one-year period; all in violation of Title 18, United States Code, Sections 1028(a)(7); 1028(b)(1)(D); and 2.

COUNTS 13-17  
(Aggravated Identity Theft)

23. On or about the dates set forth below, in the State and District of Minnesota, the defendants,

JASON RICHARD HANSEN,  
JASON ELLIOTT CLARK, and  
NOU THAO,

aided and abetted by others known and unknown to the grand jury, did knowingly possess and use, without lawful authority, a means of identification of another person, to wit: name, social security number, bank routing number, bank account number, and address, belonging to victims, as alleged in each count below, during and in relation to the commission of a felony violation enumerated in subsection (c), to wit, Bank Fraud and Access Device Fraud:

Count	Date(s)	Defendant(s)	Description
13	8/16/07	Jason Richard Hansen Nou Thao	Unlawful use of name, bank account number, and bank routing number of D.R.O. to withdraw \$8,975.75 during commission of Bank Fraud as alleged in Count 2.
14	9/5/07	Jason Richard Hansen Nou Thao	Unlawful use of name, bank account number, and bank routing number of W.B.H. to transfer \$14,000 during the commission of Bank Fraud as alleged in Count 3.

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15	9/19/07	Jason Elliott Clark	Unlawful use of name, bank account number, and bank routing number of D.R.O. to withdraw \$10,250 during commission of Bank Fraud as alleged in Count 4.
16	1/23/08	Jason Richard Hansen	Unlawful use of name, date of birth, social security number of B.S.J. to obtain and use unauthorized Fifth Third Credit Card No. XXXXXXXXXXXX1981 to obtain \$15,675 during commission of Access Device Fraud as alleged in Count 8.
17	1/25/08	Jason Richard Hansen Nou Thou	Unlawful use of name, date of birth, and social security number of B.S.J. to obtain and use unauthorized Fifth Third Credit Card No. XXXXXXXXXXXX1981 to obtain \$8,125 during commission of Access Device Fraud as alleged in Count 9.

All in violation of Title 18, United States Code, Sections 1028A, and 2.

A TRUE BILL

\_\_\_\_\_  
UNITED STATES ATTORNEY

\_\_\_\_\_  
FOREPERSON